

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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**PILE FOUNDATION CONSTRUCTION
CO., INC.,**

Plaintiff,

MEMORANDUM AND ORDER

-against-

07-CV-2232 (ERK)

**JOHN GLADSKY d/b/a GLADSKY
MARINE and SEACOAST MARINE
SERVICE INC.,**

Defendants.

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ROANNE L. MANN, UNITED STATES MAGISTRATE JUDGE:

Citing defendants' continued failure to comply with their discovery obligations, plaintiff requests that this Court's discovery deadlines -- which have already been extended once -- be adjourned again for an unspecified period. See 11/30/07 Letter from David A. Loglisci. Defendant objects to the request, and explains that defendant John Gladsky has been preoccupied with business matters. See 12/4/07 Letter from Lars Forsberg. Defendants' explanation is no excuse for ignoring their discovery obligations, nor does it justify denying plaintiff's application for an extension that apparently was necessitated by defendants' delays in providing discovery.

Plaintiff's request is granted to the following extent: By November 7, 2007, defendants shall, on pain of sanctions, formally respond in writing to plaintiff's document demands and shall furnish plaintiff's counsel with copies of all responsive materials. Fact discovery is extended until February 1, 2008. Defendants shall provide plaintiff with full access to the crane barge at issue at a mutually agreed upon time and date within the discovery period.

Defendants shall supplement their expert disclosure by December 28, 2007. Plaintiff's expert disclosure shall be served by February 1, 2008. The January 16th settlement conference is adjourned to February 8, 2008, at 2:00 p.m. Clients must attend.

SO ORDERED.

**Dated: Brooklyn, New York
December 6, 2007**

**ROANNE L. MANN
UNITED STATES MAGISTRATE JUDGE**